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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard J. Budhu, et al

Serial No.: 10/505,257 Case: 21044P

Filed: August 20, 2004

For: AMINOALKYLPHOSPHONATES AND
RELATED COMPOUNDS AS EDG
RECEPTOR AGONISTS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO CORRECT FILING DATE
PURSUANT TO 37 C.F.R. § 1.10(c)

Sir:

This petition is to correct the 35 U.S.C. 371(c) date accorded by the Office to the above identified patent application, which is a U.S. national phase application filed under 35 U.S.C. § 371.

The filing receipt received from the Office, a copy of which is submitted herewith, indicates a 371(c) date of "08/19/2004". Furthermore, the postcard returned from the Office, a copy of which is submitted herewith, is stamped as received by the Office on "19 AUG 2004". The Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495, a copy of which is submitted herewith, indicates a date of "8/19/2004" as the date of receipt of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements and a filing date of "8/19/2004" for the listed items.

There is a discrepancy between the filing date of August 19, 2004 accorded by the Office and the date of deposit as shown by the "date-in" on the "Express Mail" mailing label for this application. A true copy of the "Express Mail" mailing label is submitted herewith and indicates a date of deposit as shown by the "date-in" entry of August 20, 2004. Also submitted herewith are copies of

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the application papers as filed showing the number of the "Express Mail" mailing label placed on each piece of correspondence.

Based on the foregoing, Applicants respectfully request that the 371(c) date for the above-identified patent application be corrected to August 20, 2004. Applicants also respectfully request that the Filing Receipt, Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 as well as all other records in the Office be corrected to accurately reflect the 371(c) filing date of August 20, 2004 for this application.

Applicants respectfully request that the fee for filing this petition, if required, be charged to Merck Deposit Account No. 13-2755 as well as any other fees that are due in connection with this Petition. If there are any questions in connection with this Petition, please telephone the undersigned.

Respectfully submitted,

By Raynard Yuro
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Date: January 25, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.
MERCK & CO., INC.
Date 1-25-2006